REMARKS

The Office Action

Claims 1-3, 7-8, 9-10, 13 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Farris, et al. (U.S. Patent No. 6, 233,313, hereinafter merely referred to as Farris).

Claims 4-6, 11 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Farris in view of Nelkenbaum (U.S. Patent No. 6, 751,297).

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Farris in view of Kouchri, et al. (Published U.S. Patent Application, Pub. No. 2004/0219911, hereinafter merely referred to as Kouchri).

Comments/Arguments

The rejection of original independent claims 1 and 8 is hereby traversed. Within a telecommunications network, claim 1 calls for a method that includes converting received circuit-switched call content into a packet-switched format. Similarly, claim 8 calls for a system that includes translation means for converting the received circuit-switched call content into a packet-switched format. Farris fails to expressly teach or fairly suggest the foregoing.

Notably, Farris is directed to the capturing of call detail information and/or so called call progress data from a subject under surveillance, and delivering that information to a law enforcement agency (LEA). While acknowledging that in general a surveillance operation may in fact also involve the capture and/or delivery of the call content, Farris expressly exempts call content from the approaches and/or systems described therein. See column 9, lines 1-4, "The surveillance may involve delivery of content to the LEA; however, for purposes of our discussion, assume that the authorized surveillance involves only delivery of call associated signaling data." Accordingly, the systems and methods described in Farris pertain only to the delivery of call signaling data and **NOT** call content, which has been expressly omitted. That is to say, the systems and/or methods described in Farris do not contemplate and/or are not suitable for handling call content.

Nevertheless, citing "col. 5 lines 55-60," the Office Action alleges that Farris "suggested providing call content to the CALEA in a protocol or format required by the agency." This is an erroneous interpretation of Farris without support in the reference.

Nowhere does Farris suggest providing call content to the LEA in any particular manner. Farris is simply silent on this subject, because Farris does not address this issue. The only disclosure Farris has on the issue is that call content may be delivered - Farris is however silent as to how such call content is delivered. Column 5, lines 55-60 merely indicates that call record details or so called call progress information is provided in a format or via a protocol required by the LEA or CALEA standard. **Column 5, lines 55-60 makes no indication or suggestion as to how call content is delivered.** In fact, in light of the previously noted disclosure, call content is expressly omitted from the discussion of the Farris systems and/or processes. Accordingly, attributing the teaching referred to in column 5, lines 55-60, as relating to call content (as opposed to call detail or progress data), is not only erroneous but clearly contrary to the explicit teachings of the reference itself.

The Office Action also alleges that "it is obvious to convert circuit-switched call content data to packet-switched data in Farris et al since the LEA in Figure 2 is connected to a Wide Area Network (WAN) which is a data network for carry [sic] packet data." This statement is also flawed. Initially, it is noted that the LEA **7** is not connected to the WAN **37**, rather the server **39** is connected to the WAN **37** which is operated by the carrier or telephone company for its internal business purposes. As explicitly disclosed in Farris, the WAN **37** carries network operations data, not call content. See column 19, lines 39-50. Nowhere in Farris is it taught or even fairly suggested that the WAN **37** is utilized to carry call content. Again, the opposite is true. That is to say, Farris expressly exempts call content from the discussion of the systems and/or methods discussed therein. The systems and/or processes discussed in Farris (including the WAN **37** and the server **39**) relate only to call detail information and/or progress data.

Additionally, the WAN **37** is never provided any call content from the end offices (i.e., elements **11**, **13**, **15**, etc.). Rather, the end offices merely provide call detail records and/or call progress information to a billing system **22** of a Remote Accounting Office (RAO) **20**. Neither the billing system **22** nor the RAO **20** receive call content, and as such the call content is not routed anywhere over the WAN **37**. That is to say, Farris teaches no link by which call content can be routed over the WAN **37** from the end offices. Clearly, a remote accounting office and/or a billing system do not need and are typically not supplied call content.

Moreover, the WAN **37** is not the link between the carrier and the LEA **7**. Rather, the server system **39** provides a link to the LEA **7**. "The link from the server system **39**

to the LEA data system **7** carries the processed records ... ." This link is disclosed as "a dedicated data link." See column 19, lines 56-65. Notably, this link is not disclosed as carrying any call content. In fact, it is only disclosed as carrying call detail records. Nowhere does Farris suggest using the link between the server system **39** and the LEA data system **7** to carry call content. Accordingly, it would not have been obvious to convert circuit-switched call content data to packet-switched data since the WAN **37** is not provided call content and/or is not disclosed as being equipped to carry call content.

The Office Action also alleges that "it would have been obvious ... to recognize that the call content must be converted into packets in order to transmit over the WAN." Still, the Office Action misinterprets Farris. As already pointed out above, call content is not transmitted over the WAN **37**. In fact, Farris discloses no link by which call content could even reach the WAN **37** from the end offices. Accordingly, there is no motivation to convert call content into packets. In fact, there is no disclosure in Farris to suggest that circuit-switched call content is not delivered to the LEA in any manner other than that which has been traditionally employed, i.e., via dedicated circuit-switched facilities.

As conceded in the Office Action, Farris fails to teach converting circuit-switched call content into a packet-switched format. Additionally, there is no legitimate motivation found in Farris to suggest a reason why one of ordinary skill in the art would want to convert circuit-switched call content into a packet-switched format as claimed. In fact, Farris is expressly not concerned with call content and purposefully exempts it from the discussion of its systems and processes. Rather, Farris is directed to an approach and/or system for delivering only call detail data and/or call progress information. Farris is simply silent as to how call content is delivered. Accordingly, all that one of ordinary skill in the art would glean from a reading of Farris is that call content (if deliver at all) should be delivered in the usual manner, i.e., via dedicated circuit-switched facilities.

Farris does not suggests using packet-switched facilities to deliver call content. Simply teaching a method and/or system whereby call detail data or progress information is delivered to an LEA via a data network and/or link does not suggest that the call content is also delivered by the same data network or link. Moreover, Farris explicitly indicates that the systems and processes discussed therein are not applicable to call content and/or that the delivery of call content is not contemplated by the discussed systems and/or processes. That is to say, if one is to properly interpret what the Farris patent teaches, then it must be assumed that the surveillance involves only

delivery of call associated signaling data, not call content. The reference itself explicitly limits its disclosure to this scope.

Accordingly, it is submitted that claims 1 and 8 distinguish patentably over the references of record, along with claims 2-7 and 9-15 depending therefrom.

CONCLUSION

For the reasons detailed above, it is respectfully submitted that all the claims remaining in the application are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone the below signed, at the telephone number listed.

Respectfully submitted,

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